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Nomura Asset Acceptance Corp.

12  
13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**  
15 **WESTERN DIVISION**

16 NATIONAL CREDIT UNION  
ADMINISTRATION BOARD, as  
17 Liquidating Agent of Western Corporate  
Federal Credit Union,

18 Plaintiff,

19 vs.

20 RBS SECURITIES, INC., f/k/a/ RBS  
21 GREENWICH CAPITAL MARKETS,  
INC.; GREENWICH CAPITAL  
22 ACCEPTANCE, INC.; AMERICAN  
HOME MORTGAGE ASSETS LLC;  
23 INDYMAC MBS, INC.; LARES  
ASSET SECURITIZATION, INC.;  
24 NOMURA ASSET ACCEPTANCE  
CORP.; NOMURA HOME EQUITY  
25 LOAN, INC.; and WACHOVIA  
MORTGAGE LOAN TRUST, LLC,

26 Defendants.  
27  
28

Case No. CV 11-05887 GHW (JEMx)

The Honorable George H. Wu

**STIPULATION FOR TWO-DAY  
EXTENSION OF DEADLINE FOR  
SUPPLEMENTAL MEMORANDUM  
IN SUPPORT OF NOMURA ASSET  
ACCEPTANCE CORP.'S MOTION  
TO DISMISS THE FIRST AND  
TENTH CLAIMS OF THE FIRST  
AMENDED COMPLAINT AS  
DIRECTED AGAINST NOMURA  
ASSET ACCEPTANCE CORP.**

Complaint Filed: July 18, 2011  
First Amended Complaint Filed:  
August 19, 2013

1 Defendant Nomura Asset Acceptance Corp. (“Nomura”) and Plaintiff National  
2 Credit Union Administration Board, as Liquidating Agent of Western Corporate  
3 Federal Credit Union (“NCUA”), through their counsel of record, hereby agree and  
4 stipulate as follows:

5 **WHEREAS**, on October 3, 2013, Nomura filed its motion to dismiss the first  
6 and tenth claims of the first amended complaint as directed against Nomura (ECF No.  
7 202);

8 **WHEREAS**, the hearing on Nomura’s motion to dismiss was held on  
9 December 19, 2013;

10 **WHEREAS**, during the December 19, 2013 hearing, Nomura sought leave to  
11 submit a supplemental memorandum to clarify the state of the controlling law in the  
12 First Circuit during the period applicable to NCUA’s claims in this case;

13 **WHEREAS**, the Court granted Nomura leave to file a supplemental  
14 memorandum in support of its motion to dismiss by January 6, 2014, but suggested  
15 that the parties might avoid further briefing by stipulating to a discovery plan while  
16 the Ninth Circuit appeal in the *Goldman* matter (Case No. 2:11-CV-06521-GW-JEM)  
17 is proceeding;

18 **WHEREAS**, the parties have been conferring in good faith to work out a  
19 mutually agreeable discovery plan;

20 **WHEREAS**, although the parties have not yet reached an agreement, their  
21 discussions have been productive and the parties believe that an additional two days of  
22 conferring may result in a resolution that would avoid the need for further briefing;

23 **WHEREAS**, accordingly, the parties respectfully request a two-day extension  
24 of the deadline for Nomura’s supplemental memorandum in support of its motion to  
25 dismiss from January 6, 2014 to January 8, 2014;

1           **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** that:

2           1.     The parties respectfully request that the Court enter an order moving the  
3     deadline for Nomura's supplemental memorandum in support of its motion to dismiss  
4     the first and tenth claims of the first amended complaint as directed against Nomura  
5     from January 6, 2014 to January 8, 2014.

6           2.     The deadline for NCUA's opposition to Nomura's supplemental  
7     memorandum would be unchanged (January 20, 2014).

8           3.     The deadline for Nomura's reply brief in support of its supplemental  
9     memorandum would be unchanged (January 31, 2014).

10          4.     The hearing on the issues raised in Nomura's supplemental  
11     memorandum, NCUA's opposition, and Nomura's reply brief would be unchanged  
12     (February 10, 2014).

13  
14     DATED: January 3, 2014

Respectfully submitted,

JENNER & BLOCK LLP

16                 /s/ Christopher C. Chiou  
17                 Christopher C. Chiou

18                 Attorneys for Defendant  
19                 Nomura Asset Acceptance Corp.

20                 SUSMAN GODFREY L.L.P. /  
21                 KOREIN TILLERY LLC /  
22                 KELLOGG, HUBER, HANSEN, TODD,  
23                 EVANS & FIGEL, P.L.L.C.

24                 /s/ Michael E. Klenov  
25                 Michael E. Klenov

26                 Attorneys for Plaintiff  
27                 National Credit Union Administration  
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